

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Akram Abdel-Aziz

Docket No. 5:18-CR-163-1BO

Petition for Action on Probation

COMES NOW Kyle W. Fricke, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Akram Abdel-Aziz, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute a Quantity of 5 Fluoro ADB, 5F-ADB, and 5F-MDMB-PINACA and a Quantity of FUB-AMB (Synthetic Cannabinoids), in violation of 21 U.S.C. § 846 and 21 U.S.C. § 841(b)(1)(C), and Money Laundering by Structuring and Aiding and Abetting, in violation of 18 U.S.C. § 1956(a)(1)(B)(ii) and 18 U.S.C. § 2, was sentenced by the Honorable Terrence W. Boyle, United States District Judge, on October 2, 2019, to the custody of the Bureau of Prisons for a term of 50 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

On May 15, 2020, pursuant to 18 U.S.C. § 3582(c)(1)(A), the court ordered that the defendant's remaining term of imprisonment be modified to a term of probation for two years. The court further imposed special condition of home detention for that term. All other conditions of the original judgment were to remain in full force and effect.

Akram Abdel-Aziz was released from custody on May 19, 2020, at which time the term of supervision commenced. He has been on home detention with electronic monitoring since release with no issues.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The supervision as it is currently structured could be detrimental to the defendant in that he has already served a period of imprisonment and if revoked on probation would then be resentenced to an additional term of imprisonment available under 18 U.S.C. § 3565(a)(2). To avoid any issues should there be a revocation hearing and to have the defendant supervised for a period of two years, we recommend the sentence be modified to a period of time served and that the court impose a supervised release term of two years.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant's term of imprisonment is modified to time served.
2. The defendant shall be on supervised release for a period of two years commencing May 19, 2020.
3. The mandatory, standard and special conditions of the supervision imposed on the original judgment shall remain in full force and effect.
4. Due to the defendant's compliance with home detention with electronic monitoring since May 19, 2020, the previously ordered condition of home detention is hereby removed.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

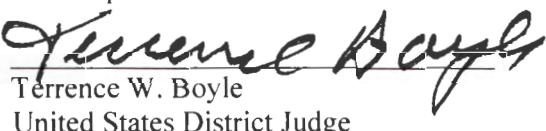
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dewayne L. Smith
Dewayne L. Smith
Supervising U.S. Probation Officer

/s/ Kyle W. Fricke
Kyle W. Fricke
U.S. Probation Officer
150 Reade Circle
Greenville, NC 27858-1137
Phone: 252-830-2336
Executed On: January 29, 2021

ORDER OF THE COURT

Considered and ordered this 1 day of February, 2021, and ordered filed and made a part of the records in the above case.


Terrence W. Boyle
United States District Judge